

PATENT

(Practitioner's Docket No. IN-5484)

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Heinz-Peter RINK
Werner Alfons JUNG

Serial No.: 09/830,694

Filed: April 27, 2001

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JUL 18 2001

Group Art Unit: Not Assigned

Examiner: Not Assigned

TC 1700

For: POWDER CLEARCOAT MATERIAL AND AQUEOUS POWDER CLEARCOAT SLURRY

Assistant Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:
- ☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [____], filed on [____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:
- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material: **English Translation of EP 0 708 788 B1, English Abstract for DE19609617; English Translation of DE19709465; English Abstract for DE4310413; English Abstract for DE19709476.**
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☒ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:
- 4,343,728 equivalent to EP 026 875;
5,759,631 equivalent to DE 44 07 415;
6,013,739 equivalent to DE 44 07 409;
5,716,678 equivalent to DE 43 104 14;
4,895,910 equivalent to DE 38 07 571;
5,079,312 equivalent to DE 37 06 095;
5,691,419 equivalent to WO 92/22615;
5,690,569 equivalent to DE 197 09 476;
4,246,382 equivalent to DE 28 48 906;
5,726,258 equivalent to DE 195 24 182;
5,576,386 equivalent to EP 55 47 83;
5,817,733 equivalent to DE 44 07 544;
6,187,384 equivalent to DE 195 34 361**
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the **European Patent** Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☒ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification: **Angewandte Chemie, Volume 107, pages 2179 ff. (1995), in Journal of the American Chemical Society, Volume 118, page 100 ff. (1996), Journal of the chemical Society, Chemical Communications, page 1127 ff. (1995) @ page 38, LL. 21-23; Ullmanns Enzyklopadie der technischen Chemie, Volume 1, page 743 ff. (1951) @ page 42, LL. 22-29; M. Schuster and S. Bleckert in Angewandte Chemie, 1997, Voloume 109, pages 2124 to 2144 @ page 34, LL. 21-23.**

CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.

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☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:

☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$230.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

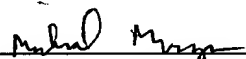
☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Respectfully submitted,



Michael F. Morgan, Reg. No. 42,902
BASF Corporation
26701 Telegraph Road
Southfield, Michigan 48034-2442
Tel. No.: (248) 948-2355